

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESEE**

**November 28, 2001**

**IN RE:**

**COMPLAINT OF KMC TELECOM III, INC.  
AND KMC TELECOM V, INC. AGAINST  
UNITED TELEPHONE-SOUTHEAST, INC.**

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**DOCKET NO.  
01-00964**

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**ORDER APPOINTING A HEARING OFFICER**

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This matter came before the Tennessee Regulatory Authority (the "Authority") at a regularly scheduled Authority Conference held on November 6, 2001, for appointment of a Hearing Officer to render a decision on the merits of the *Complaint* filed on November 2, 2001 by KMC Telecom III, Inc. and KMC Telecom V, Inc. (collectively "KMC") against United Telephone-Southeast, Inc. ("UTSE").

At the above-referenced Authority Conference, the Directors unanimously appointed the General Counsel or his designee to act as Hearing Officer in this matter to make findings of fact and conclusions of law, as necessary, and to render an initial decision on the merits of the *Complaint*, pursuant to Tenn. Code Ann. §§ 4-5-301 and 65-2-111 and such other legal authority as may be provided by law. The Directors also ordered that UTSE shall file its response to KMC's *Complaint* no later than 2:00 p.m., November 28, 2001.

**IT IS THEREFORE ORDERED THAT:**

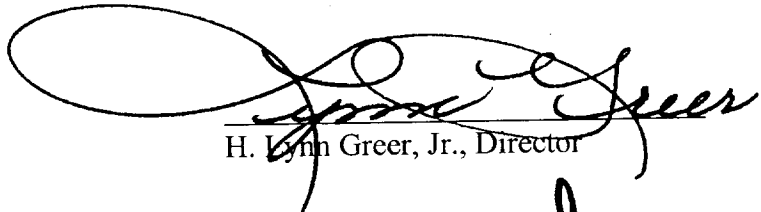
1. The General Counsel or his designee is appointed Hearing Officer in this matter to make findings of fact and conclusions of law, as necessary, and to render an initial decision on

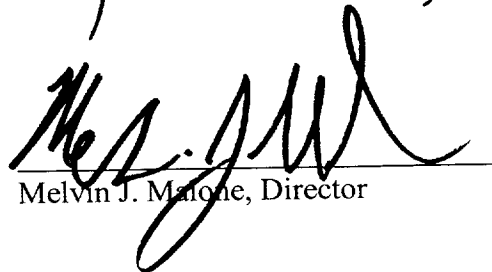
the merits of the *Complaint*, pursuant to Tenn. Code Ann. §§ 4-5-301 and 65-2-111 and such other legal authority as may be provided by law;

2. UTSE shall file its response to KMC's *Complaint* with the Authority no later than 2:00 p.m., November 28, 2001; and

3. Any party aggrieved with the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within fifteen (15) days from the date of this Order.

  
Sara Kyle, Chairman

  
H. Lynn Greer, Jr., Director

  
Melvin J. Malone, Director

ATTEST:

  
K. David Waddell, Executive Secretary